

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

WILLIAM D. DICKERSON, )  
vs. Plaintiff, ) 1:11-cv-699-SEB-MJD  
TROOPER BRAD SCHULTZ, et al., )  
Defendants. )

**Order Discussing Transferring  
Action to Northern District of Indiana**

Plaintiff William D. Dickerson is confined at the United States Penitentiary in Lewisburg, Pennsylvania. He alleges that in 2001, the defendants participated in a traffic stop on Interstate 69 in Allen County, at or near Ft. Wayne, Indiana. The events and circumstances surrounding this stop are the basis of this civil action brought pursuant to 42 U.S.C. § 1983.

When jurisdiction is not founded solely on diversity, venue is proper only in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1339(b). Here, the alleged treatment of which the plaintiff complains occurred in the Northern District of Indiana. The evidence lies in the Northern District. Another statute, 28 U.S.C. § 1404, provides: "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought." Under these circumstances, the proper venue for the action is the Northern District of Indiana.

Accordingly, and without acting on the plaintiff's request to proceed *in forma pauperis* the above action is now **TRANSFERRED** to the United States District Court for the Northern District of Indiana at Fort Wayne, Indiana.

**IT IS SO ORDERED.**

Date: 06/17/2011

Sarah Evans Barker  
SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

William D. Dickerson  
14280-026  
Lewisburg - U.S. Penitentiary  
Inmate Mail/Parcels  
P.O. Box 1000  
Lewisburg, PA 17837